

AMENDMENTS TO THE DRAWINGS:

The attached drawing sheets include changes to Figures 1(A), 2(A), 6-1, 13(A) and 13(B). These sheets replace the original sheets containing Figures 1(A), 2(A), 6-1, 13(A) and 13(B).

Attachment: Replacement Sheets of Figures 1(A), 2(A), 6-1, 13(A) and 13(B).

REMARKS

The above amendments and following remarks are responsive to the points raised in the January 11, 2005 non-final Office Action. Upon entry of the above amendments, Claims 1 and 2 will have been amended, and Claims 1-5 will be pending. No new matter has been introduced. Entry and reconsideration are respectfully requested.

Response to the Objection of the Claims

Claims 1-5 have been objected to on the basis of various informalities for which the Examiner has required correction. Applicant has amended Claims 1 and 2 to obviate this objection. Accordingly, the objection is now moot and should be withdrawn

Response to the Rejection under 35 U.S.C. § 102(a)

Claims 1-4 have been rejected under 35 U.S.C. § 102(a) as being unpatentable over US Patent 6,400,492 to Morita et al. (Morita). Applicant respectfully traverses this rejection and submits that Morita does not teach or suggest the electrophoretic display as recited in independent Claim 1.

The electrophoretic display device disclosed by Morita includes at least one substrate 1 having an overlying electrode 50 formed on one side thereof. Nowhere is it seen where Morita teaches or suggests an electrophoretic display having a first electrode, a second electrode, an insulation layer disposed between said first electrode and said second electrode are supported by the substrate as recited in Claim 1. As such, the subject matter of Claim 1 is distinguished over the applied prior art reference of Morita.

The subject matter of dependent Claims 2-4, as well as dependent Claim 5, which depend from Claim 1, is likewise distinguished over Morita for at least the same reasons as Claim 1.

Accordingly, the rejection under 35 U.S.C. § 102(a) should be withdrawn.

Response to the Rejection under 35 U.S.C. § 103(a)

Claim 5 has been rejected under 35 U.S.C. § 103(a) as being unpatentable over Morita in view of US Patent 6,621,541 to Choi. Applicant respectfully traverses this rejection.

Dependent Claim 5, which depends from Claim 1, is distinguished over Morita for at least the same reasons as Claim 1. Notwithstanding the dependence of Claim 5 on Claim 1, the Examiner admits that Morita does not teach each feature of the electrophoretic display recited in Claim 5, and therefore attempts to rely on the secondary teaching of Choi to remedy the deficiencies of Morita. Choi, however, advances no teaching or suggestion that would motivate one of ordinary skill in the art, at the time the invention was made, to modify Morita, as advanced by the Examiner, and provide an electrophoretic display having a first electrode, a second electrode, an insulation layer disposed between said first electrode and said second electrode are supported by the substrate. As such, the subject matter recited in Claim 5 is distinguished over Morita and Choi, either alone or in combination.

Accordingly, the rejection under 35 U.S.C. § 103(a) should be withdrawn.

Response to the Objection of the Drawings

The drawings have been objected to under 37 CFR § 1.84(p)(4) on the basis that “reference character ‘1c’ has been used to designate both the first electrode and the pigment particle.” The Examiner also urges that similar error is found in other drawings. The Examiner has also objected to Figure 13A and 13B on the basis that these figures should be designated by a legend such as --Prior Art--. The Examiner has required correction of the drawings in response to the January 11, 2005 non-final Office Action.

Applicant has amended each of Figures 1(A), 2(A), 6-1, 13(A) and 13(B) correcting errors associated with reference character 1c depicted in Figures 1(A) and 2(A) and reference character 2c depicted in Figure 6-1. Figures 13(A) and 13(B) have been amended to include the legend “PRIOR ART”. As referred to above, the attached drawing sheets containing Figures 1(A), 2(A), 6-1, 13(A) and 13(B) replace original drawing sheets containing original Figures 1(A), 2(A), 6-1, 13(A) and 13(B).

Accordingly, the objection to the drawings is now moot and should be withdrawn.

CONCLUSION

Applicant respectfully submits that Claims 1-5 are in condition for allowance and a notice to that effect is earnestly solicited.

AUTHORIZATIONS:

The Commissioner is hereby authorized to charge any additional fees which may be required for the timely consideration of this amendment, or credit any overpayment to Deposit Account No. 13-4500, Order No. 1232-5270.

Respectfully submitted,
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